

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

BENJAMIN BERRIOS-ROMERO,

Plaintiff,

v.

VYSTAR CREDIT UNION,

Defendant.

Civil No. 08-1891 (JAF)

O R D E R

Plaintiff was arrested for Puerto Rico state charges in Gainesville, Florida, on January 31, 2007, and has been in custody since. At the time of his arrest, Plaintiff had a checking/credit account with Vystar Credit Union, with a balance of over \$6,000. As of today, all the money has been withdrawn through an ATM card which requires the use of a PIN number. Plaintiff has no idea as to who may have withdrawn the money.

As a result of the above, Plaintiff filed a pro-se 42 U.S.C. § 1983 complaint against Vystar. Summons were served upon Defendant and the default of the credit union has been entered.

Unfortunately for Plaintiff, this court has no 28 U.S.C. § 1343 jurisdiction arising over the above-stated facts. Plaintiff must resort to state-court litigation in order to obtain redress.

The present case is dismissed. Judgment to enter dismissing the case without prejudice of state-court litigation in Florida or elsewhere.

San Juan, Puerto Rico, this 18th day of December, 2008.

S/José Antonio Fusté
JOSE ANTONIO FUSTE
Chief U. S. District Judge